

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

YAMIRA POSADA,

Plaintiff,

v.

No. 1:21-cv-0972 MIS-JHR

**KILOLO KIJAKAZI, Acting Commissioner
of Social Security,**

Defendant.

**ORDER ADOPTING PROPOSED FINDINGS AND RECOMMENDED DISPOSITION
DENYING PLAINTIFF'S MOTION FOR REMAND AND AFFIRMING THE
COMMISSIONER'S DISABILITY DECISION.**

Before the Court is Plaintiff Yamira Posada's Motion to Reverse or Remand [Doc. 24]. Pursuant to 28 U.S.C. §§ 636(b)(1)(B), (b)(3), and *Virginia Beach Savings & Loan Assoc. v. Wood*, 901 F.2d 849 (10th Cir. 1990), this case was referred to Magistrate Judge Jerry H. Ritter to conduct all warranted hearings, perform necessary legal analysis, and recommend to the Court an ultimate disposition of the case. *See* [Doc. 28]. Judge Ritter entered his Proposed Findings and Recommended Disposition on August 28, 2023, in which he analyzed the matters briefed by the parties and recommended that the Court deny Posada's motion. [Doc. 29]. Pursuant to § 636(b)(1), the parties were given fourteen days to object to Judge Ritter's proposed findings, analysis, and recommended disposition. *See* [Doc. 29]. The deadline for objections has passed and neither party objected. The Court has performed a *de novo* review of Judge Ritter's Proposed Findings and Recommended Disposition and finds no error in them.

IT IS HEREBY ORDERED that Magistrate Judge Ritter's Proposed Findings and Recommended Disposition [Doc. 29] are **ADOPTED** by the Court; and

IT IS FURTHER ORDERED that Plaintiff's Motion to Reverse or Remand [Doc. 24] is **DENIED** and the Commissioner's Final Decision is **AFFIRMED**.



MARGARET STRICKLAND
U.S. DISTRICT JUDGE